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# The Case for an Eight Hours Bill.

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# The Case for an Eight Hours Bill.\*

## THE DEMAND FOR AN EIGHT HOURS DAY.

The one demand of the laboring masses which to-day forces itself on the attention alike of the willing and the unwilling, is the rapidly growing international movement in favor of an Eight Hours Day.

In England and Scotland, in Australia and America, and throughout the Continent of Europe, the wage-earners are quickly coming to be unanimous on this point.

This has come about, not so much from the conviction that the present hours are injurious to health—though that in many cases is the fact—not so much from the theory that shorter hours mean higher wages—though that theory is in the main sound,—but from the strongly-felt desire for additional opportunities for self-cultivation and the enjoyment of life.

Men and women who toil for wages are everywhere growing tired of being only working animals. They wish to enjoy, as well as to labor; to pluck the fruits, as well as dig the soil; to wear as well as to weave. They are eager for opportunity to see more of the great world in which they live—a world of which many of them now for the first time hear from books. On all sides there is an expansion of life. New possibilities of enjoyment, physical, emotional, intellectual, are daily opening for the masses. New aspirations are daily surging up. We need not wonder then that this generation is no longer content to live as its fathers and mothers lived. Hence in all classes the demand for leisure grows keener and keener. Both men and women are growing daily more conscious of the cruelty of a system which condemns them to a barely broken round of monotonous toil. Everywhere they begin fiercely to rebel against this system, and nerve themselves to prepare for its overthrow.

“Work we will,” they say in effect, if not in words, “for we know that work is the condition of life. But we demand in return the wage for our work. Not mere money wage—for that by itself is useless—but the power and opportunity to enjoy the advantages which the labor of all of us has created.”

## THE NEED FOR A SHORTER DAY.

This power and opportunity to enjoy the civilisation which labor creates is now denied to the great mass of the workers. In

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\* Fabian Tract No. 9, *An Eight Hours Bill in the form of an amendment of the Factory Acts*, gives practicable proposals for Eight Hours legislation. A brief summary of the arguments is contained in Fabian Tract No. 16, *A Plea for an Eight Hours Bill*. The whole subject is dealt with at length in the book entitled “The Eight Hours Day,” by Sidney Webb and Harold Cox (London, Walter Scott, price one shilling), which gives full particulars of the history of the Eight Hours Movement in all parts of the world, description of Foreign and Colonial Factory Laws, authentic accounts of the results where the Eight Hours Day has been tried, and an extensive list of publications on the subject.

many industries, practically the whole of their waking life is taken up in the mere struggle to live. Many thousands of them never see their little children out of bed. *Nearly all* of them are worked too long for physical health.

Here are some cases of the hours of labor now being worked in Great Britain.

#### TRAMWAY WORKERS.

The men who work on the trams in our cities are on duty for at least fourteen hours a day, without including meal times. Many of them work longer even than this, and seven days a week. One conductor in Bradford was found to be working regularly 115 hours a week, with no intervals for meals, at wages of three shillings a day. One town\* in England works its own tramways, free from the control of profit-making shareholders. On this tramway the workers enjoy an Eight Hours Day.

#### RAILWAY WORKERS.

The great Scotch strike of 1890-1 has made us all familiar with the monstrously excessive hours of nearly all grades of railway men. Particulars of their overwork are to be found in the Railway Companies' own returns to the Board of Trade.†

Nearly all the great Railway Companies have thousands of men at work for fifteen, and even eighteen hours at a stretch. Nor is this made necessary by fogs or pressure of business. The London and South-Western Railway suffers from as many fogs as the rest, and is no less liable to sudden increase of traffic. But the London and South-Western Railway hardly ever keeps any engine-driver or signalman at work for more than twelve hours at a stretch. What one company can do, the others could imitate if they liked; but they prefer to work with an inadequate staff.

This is how the North British Railway Company worked one of its firemen during the latter part of 1890:—

1st fortnight	...	...	174 hours	9th fortnight	...	...	168 hours
2nd	"	...	174 "	10th	"	...	193 "
3rd	"	...	156 "	11th	"	...	190 "
4th	"	...	186 "	12th	"	...	192 "
5th	"	...	193 "	13th	"	...	198 "
6th	"	...	188 "	14th	"	...	155 "
7th	"	...	193 "	15th	"	...	167 "
8th	"	...	254 "	16th	"	...	194 "

Average, 185½ hours per fortnight.

No wonder that during 1889, one in seventeen of the brakesmen and goods guards, and one in eighteen of the shunters, employed in the United Kingdom, were injured by accidents.‡

\* Huddersfield. The Town Council nevertheless loses nothing by its generosity; its tramways yield full interest on cost and show no deficit.

† See Parliamentary Paper, c. 6158 of 1891.

‡ Report to the Board of Trade, c. 6155 of 1890.



## SHOP ASSISTANTS.

The President of the Shop Hours Labor League tells us\* that "the majority of shop assistants in this country work from 75 to 90 hours in every week. Of that majority one-fourth work the full 90 hours per week, two-fourths 80 hours, and the remaining fourth 75 hours."

Here is one out of many cases :—

" 'William H., aged 22, grocer's assistant: Have been in three places since I was 15 years of age. My hours have been and are from 7.30 a.m. to 9.30 p.m., Fridays 10 p.m., Saturdays 12 p.m. At the end of the day my feet burn and my limbs ache. On Saturday it is something cruel. We have no holidays. I have known one death through the long hours, and many a one I have known broken down and be obliged to leave. It's very hard to have one's health ruined at the very beginning of life, and then having to go through the world with half a constitution.' "

## WOMEN WORKERS.

Women are, in many industries, protected against excessive hours of labor by the Factory Acts. But where these do not apply, or are not enforced, the women often have to work scandalously long hours. The washerwomen in little laundries rarely work less than 72 hours a week. Barmaids are often on duty for over 100 hours a week. Women in small shops suffer much from their excessively prolonged day. Doctors are unanimous in affirming the evil physical effects of this undue labor.

## COAL MINERS.

We are often told of the short hours which the coal miners have won for themselves. The Government return† shows, however, that very few even of the coal hewers are underground for less than nine hours a day. The other workers in the mine are in the pit still longer. Only in Northumberland and Durham, where the masters have chosen to institute a double shift, do the coal hewers spend less than eight hours underground. The "rulleymen" and boys in those mines work over ten hours underground.

## OTHER WORKERS.

Many other workers toil for excessive hours. The prosperous artisans who have nominally won the Nine Hours Day, form but a small minority of the wage earners. At Liverpool the bakers in 1890 worked on an average eighty hours a week. The "sweated" tailors in East London often work sixteen, or even eighteen hours out of the twenty-four. Nor are the worst scandals confined to the great towns.

The following instance of a contract actually put into writing, at Slough (Buckinghamshire), may be taken as typical of much unrecorded tyranny in the agricultural districts :—

"I, WILLIAM BURTCHELL, agree to hire myself to Alfred William and Joseph Refell for one year as carter at 7s. per week for the first half, 8s. for the second half-year, and £3 at Michaelmas, 11th October, 1891, to make myself generally useful at all kinds of work, and to do anything I am asked to do at any time. In

\* "Death and Disease behind the Counter," by Thomas Sutherst (2 Harcourt Buildings, Temple, London, E.C.).

† Parliamentary Paper, H.C., 284 of 1890.

case of illness or accident I agree to support myself; to be in the stable at four o'clock every morning in order to get my horses ready for work by six o'clock; to rack up my horses every night at eight o'clock; to find my own whip, masters to keep it in repair; to get up in the morning when called by the carter; to be in every night by nine o'clock, except when required to be later by my masters; to clean boots and shoes on Sunday mornings."

#### WHAT HAS ALREADY BEEN DONE TOWARDS GETTING AN EIGHT HOURS DAY.

Some shortening of the working day has already taken place. In some cases the employers have voluntarily conceded more leisure to their workers. In some industries Trade Union action has reduced the hours. Many thousands of workers now enjoy leisure secured to them by the Factory Acts for which their fathers fought. Let us see how much has yet been won by each of these methods.

##### (a) *Voluntary Action by Employers.*

Little has been gained in the past, and little can be hoped for in the future, from the voluntary action of individual employers. Many capitalists declare that they desire, in the abstract, a shorter working day; but few have had the courage to start it in their own works. Nor is this to be wondered at. Every employer is afraid of his rival's competition. No mill-owner dare run his mill only eight hours whilst other mills are running ten. No shopkeeper dare close his shop whilst his competitors remain open.

##### (b) *Public Opinion.*

Nor does public opinion suffice to bring about voluntary agreement to shorten the hours of labor. Agreements among shopkeepers to close early, even on one night a week only, are continually breaking down. Those who most relied on public opinion to bring about a shorter working day are now the most emphatic in their demand for more effective methods. The (London) Early Closing Association, once resolute in its faith in moral suasion, now heartily supports legislation. The Melbourne Early Closing Association has had a similar experience. The Secretary of this latter Association, who appeared to give evidence before the Royal Commission on the Hours of Labor in Victoria, "expressed himself as opposed to any innovation upon the tactics hitherto pursued, and more especially to legislative interference with what he termed 'the liberty of the subject.' Subsequently a poll of the members of the Association was taken as to the advisability or otherwise of regulating the hours of labor in shops by Act of Parliament, and resulted in 279 members voting for an Act of Parliament and only 48 against."

Thus, even in Australia, public opinion has been found inadequate to secure a shorter day for the weaker workers. In Victoria so complete had been the failure of over thirty years of voluntary agitation that the Royal Commissioners unanimously reported that they were "convinced of the absolute necessity for legislative action. . . . In proposing any remedy for the relief of employes in shops, your Commissioners rely on the results of practical experience rather than on the theories of those political economists who hold that legislative interference is in violation of the law regulating supply



and demand. Several witnesses consider that the pressure of educated public opinion will in time achieve all that is necessary ; while others maintain that nothing more can be effected by moral suasion. Your Commissioners believe that moral force is devoid of the necessary potentiality to bring about the reform desired, and that an Act of Parliament alone can impart solidity and permanence to the Eight Hours Movement in connection with shops and similar establishments."\*

If this is true in Victoria, how much more is it the case in England !

(c) *Trade Union Action.*

But we are often told that the English artisans have won a Nine Hours Day, and the Australians an Eight Hours Day, by trade union action. Why cannot all workers go and do likewise, and not "go whining to the State" ?

It is true that a series of successful strikes has brought about a nominal nine hours day in most English skilled crafts. But the gain has often been little more than nominal. Habitual overtime in many industries makes the day as long as before.

But only one out of nine of the English wage earners is organised into a trade union at all, and still fewer are members of a union strong enough to enforce any reduction of hours. What responsible person would venture to advise the tramway men, or the laundry women to strike for shorter hours, although they are members of well-organised trade unions ?

The trade unions themselves are rapidly coming to the opinion that only by legislation can a real and a general shortening of hours be secured. The Liverpool Trade Union Congress voted for an Eight Hours Bill. The Trades Councils of London, Liverpool, Glasgow, Birmingham, and Hull support the same demand. Both unions of railway workers are now in its favor. The coal miners everywhere outside of Northumberland and Durham are almost unanimous on the subject. Democratic legislation is everywhere preferred to trade union warfare.

But even if Trade Unions were powerful enough to secure a serious and effective reduction in the hours of labor, it may still be doubted whether it is to the interest of the community as a whole that the work of obtaining an Eight Hours Day should be left to them. The methods of Trade Unions are essentially the methods of war. A strike, with all the misery entailed, is the only effective instrument which Trade Unions possess for enforcing their will.

Few people realise how much misery a strike of necessity entails. The long, anxious waiting, the insufficiency of food, the cessation of every luxury, and the spectacle daily growing sadder of the home bit by bit bereft of all its little ornaments and comforts, while its inmates, like its owner, are visibly suffering from downright starvation : these are the trials imposed upon the workman and upon his family when a Trade Union asserts its independence by striking. Nor are the workmen actually engaged in a strike the only members

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\* Employees in Shops Commission : Second Progress Report, p. 5.—*Victorian Parliamentary Papers*, 1883.

of the community who suffer thereby. To many a little tradesman who has just with difficulty been able to keep his head above water, a strike in his neighborhood will mean inevitable bankruptcy.

Moreover, a well-supported, widespread strike in some industries could not be tolerated by any Government. If all the railways running into London were really paralysed for a fortnight, with sympathetic strikes among the seamen and carmen, it may safely be predicted that Government intervention would be necessary to prevent food going to famine prices and serious tumult ensuing. Similar reasoning applies to the gas-workers, by whose labor London is lighted; the men in the service of the waterworks, by means of which it lives; or even those servants of the community who bury its dead. In all these cases, and in many others, the proposal that the workers should gain their ends by a strike can be made only because it is assumed that they must fail.

(d) *Legislative Action.*

The more ignorant writers in the daily press, and some of the parliamentary representatives of non-manufacturing constituencies, still persist in declaring that there is no precedent in the history of English legislation for interference on the part of the State with the hours of adult male labor. But those who remember the long fight over the Factory Acts know better than this. When the Ten Hours Bill was being discussed in 1844, Sir C. Wood, in opposing it, said: "The object of the Bill before them was the limitation of the hours of labor, not of young persons and women only, but of all factory labor. To the credit of the delegates from the manufacturing districts they had fairly and openly acknowledged that such was the object. It would therefore be waste of time to discuss it on any other footing than on that of a Bill for limiting all labor in factories to ten hours a day."

Sir George Grey, in supporting the Bill, was equally frank. He said: "I do not wish to argue the question or to support the Bill on false pretences. I admit that it is a fair argument against the Bill that, looking to the number of young children and adult and females in factories, the restriction of the hours of labor for them to ten or eleven hours a day will practically restrict the working of male adults to the same period. I am not in the least disposed to deny the fact."

In the debates on the 1874 Bill, all the old arguments were brought up by Professor Fawcett, who once more pointed out to the House of Commons that the measure would apply to the hours of men. "Although," said he, "the Bill nominally applied to women only, its real effect would be to place a Parliamentary limit on the length of the day's work, and its general application would be precisely the same in a great majority of cases as if in every clause after the word 'woman' they had inserted the word 'man.'" Notwithstanding this explicit statement, Parliament reduced the hours of labor in textile factories from 60 to 56½ hours per week. Four years later the whole body of factory legislation was codified in the Factory and Workshop Act of 1878. This Act confirmed the statutory week of 56½ hours in textile factories, and of 60 hours in non-

textile factories, with a certain margin of overtime for the latter only. Workshops—*i.e.*, places where no steam or other power is employed—are on much the same footing as non-textile factories, but the provisions of the law are slightly less stringent. In each case the limitation of hours nominally applies only to women and children: practically, wherever men are engaged in work requiring the assistance of women or of children, their hours of labor are also limited. That this result was foreseen at the time the original Acts were passed has been amply proved by the above quotations.

It was with all this in his mind that Mr. Gladstone, speaking, October 1890, said: "I make another admission, which is this—that our legislation with regard to Factories has been legislation which has embraced the case of men, and, therefore, I hold that this business of the Eight Hours Bill for miners is a matter perfectly open for free and unprejudiced consideration."

Finally, in the colony of Victoria, the favorite instance of those who rely upon the unaided efficiency of public opinion of Trade Unionism, it has been found necessary to fix by law the hours of labor of miners underground; of engineers in charge of mining machinery; of tramway workers; of men employed by the contractors on various public works; of the servants of public bodies. And attempts at similar legislation in other colonies are constantly being made, but have, as yet, been defeated by the capitalistic second chambers. Switzerland, moreover, has a universal Eleven Hours Law, applying to men as well as to women, in all industries whatsoever. Austria and France also expressly limit men's labor.

#### THE ECONOMIC EFFECTS OF AN EIGHT HOURS DAY.

Many persons oppose an Eight Hours law but profess themselves in favor of an Eight Hours Day, provided that it is secured by Trade Union action, and in the same breath declare that any compulsory diminution of working time would ruin the nation's trade. This confusion finds no support in Political Economy. Whatever may be the economic effect of a shortening of hours, it will be the same whether this shortening is enforced by Trade Union rule or by Act of Parliament.

#### WILL SHORTER HOURS LOWER WAGES?

No previous Factory Act has had this effect. The gas stokers know that their wages went up when they obtained the eight hours day. Wage-earners have been told often enough that when wages fall it is because two men are running after one master. When two masters are running after one man, wages rise. And in many industries it would happen that a reduction in the hours of labor would bring into regular work men who are now either unemployed or half employed. In the United States those trades which have, in many cities, secured an Eight Hours Day, invariably gained this without any fall in wages, even for a time. In Victoria the reduction in 1856 of the hours of labor of the skilled artisans to eight per day was not accompanied by any fall in wages. The continued prosperity of the capitalist interest in this wealthy colony indicates that the Eight Hours Day has not spelt ruin.



A difficulty is sometimes felt in connection with the apparently obvious results of "piece-work." Where workers are paid by the hour or by the piece, a diminution of hours must, it seems at first sight, diminish their earnings. But wages by the hour or by the piece really follow the same course as wages by the day. The daily earnings of an average piece-worker tend to be identical with those of an equivalent worker for day wages, in accordance with which they are in reality arranged. What a workman considers is not the rate per piece, but the total that he earns in a week. Whether wages are depressed down to the very level of subsistence, or maintained above that rate by any "standard of comfort" to which the workers cling, it is the weekly total of the average worker which is really first determined, and the piece-work rates do but fit this sum. This, indeed, is the actual process which is followed when a new job is introduced. The foreman puts a quick worker upon it at time wages, and sees how much is done in a week. The rate per piece is then fixed so as to fit the normal weekly wage. But whereas in the case of time wages the onus of any reduction would be on the employer, in the case of piece-work wages it would be for the wage-earner to obtain an increase in the rates adequate to compensate for any falling-off in the product which the reduction of hours might cause. There is accordingly some risk of a temporary reduction of the earnings of piece-workers if their productivity falls off. This is what happened to the Preston cotton operatives when the Ten Hours Bill became law, and to the cigar-makers in New York. But in both these cases the play of economic forces soon caused a rise in the piece-work rates.

An instructive example of the operation of this principle is the case of Brunner, Mond & Co., Limited, the large chemical manufacturers at Winnington, Cheshire, and elsewhere. In 1890 the shifts were, at the men's request, reduced from twelve to eight hours each, and the piecework rates were increased. The increase, however, was not sufficient to maintain the weekly wage at the former level. But within a few months an additional ten per cent. increase in wages took place, which enabled the men to earn as much in eight hours as they had previously done in twelve.

### WILL SHORTER HOURS RUIN OUR COMMERCE?

The capitalists and their newspapers say so; but they ignore, as they have always ignored, the industrial advantages of the improved health and increased intelligence which follow upon the enjoyment of adequate daily leisure. Seventy-five years ago our cotton mills commonly worked ninety and one hundred hours per week. By successive stages these hours have been brought down to fifty-six and a half. At every stage it has been conclusively "proved" by the manufacturers that the proposed new restriction of hours would deprive them of all margin of profit, would raise the price of the commodity, lower the wages of the workers, and destroy the export trade. Yet the result has over and over again shown that manufacturers and theorists alike were wrong; the hours of work have been successively reduced, without diminution of production, fall of wages, rise of prices, or slackening of trade.

## SHALL WE LOSE OUR EXPORT TRADE?

This is for the workers in each industry to consider for themselves. The same fear has been expressed about every previous Factory Act: yet the successive reductions of hours in the textile factories have been followed by a rapid increase of textile exports. But even if it were true that any branch of our export trade depended on the overwork and degradation of our working population, we could afford to let that branch go, with the certainty of finding in our home markets better employment for the workers engaged in it. However, we shall always find that the easiest way to get Greek currants and Jamaica sugar is to buy them with our own productions. The fear of foreign competition is used as a bogey to frighten the workers in every country. The French coal miners are told that unless they work themselves to death they must starve to death, because of "English competition." Will *our* coal miners let themselves be frightened by the same story?

## BUT WILL NOT PRICES RISE AND DEMAND FALL OFF?

Not unless the total national production falls off; and this, we have seen, is not likely to happen. As regards purchasing power, what the capitalists may lose in profits the workers will gain in wages. Even if it should happen that here and there three fashionable ladies spend less on their caprices while thirty artisans spend more on their comforts, the "market" would be none the worse for that; and the country would be much the better for it, whatever the three fashionable ladies might think. If, in the aggregate, production and demand are not altered, there is no reason why prices generally should rise or fall. Some prices may go up, while others go down, as they are doing every day from changes of fashion, commercial panics, and one cause or another.

Thorold Rogers said: "*No one believes that if the London seamstresses, tailors, and matchbox-makers received double the wages which they do at present, there would be an appreciable difference in the price of the products sold, or any present risk that any of those industries would cease to be plied in this country.*"—*Work and Wages* (abridged edition), p. 203.

## BUT WILL NOT OUR CAPITAL BE SENT ABROAD?

Neither the Ten Hours Law nor the Nine Hours Day has had this effect. Victoria, with its Eight Hours Day, has enormously increased its capital. The rate of interest in England is uniformly lower than elsewhere, and yet the emigration of capital which has hitherto taken place has been a mere overflow of surplus annual savings. Quite three-fourths in value of what is called capital (including, that is, the land, mines, railways, harbors, buildings of all kinds) is absolutely incapable of emigration. Other nations, indeed, are increasing their factory legislation parallel with our own advance, so that the gap is not by any means widening. A revolution in Brazil or a panic in Argentina is, moreover, far more potent in discouraging foreign investments than any difference in the rate of interest. The notion of any important emigration of capital in consequence of an Eight Hours Bill appears, indeed, as chimerical as the same threat proved

to be in the cases of the Ten Hours Bill and the general Nine Hours Movement.

### OBJECTIONS TO LEGISLATIVE ACTION.

Few persons, nowadays, confess to any opposition to an Eight Hours Day: what the manufacturer now says is, that he objects to an Eight Hours Law.

### WHY NOT LET EACH MAN SETTLE HIS OWN HOURS?

The ordinary journalist or Member of Parliament says: "I don't consult anyone except my doctor as to my hours of labor. That is a matter which each man must settle for himself." You never hear that said by a working man belonging to any trade more highly organised than chimney-sweeping. When the carrier drove his own cart, and the weaver sat in his cottage at his own loom, they began and left off work at the hours that suited them, each man pleasing himself. Now the railway worker or the power-loom weaver knows that he must work the same hours as his mates.

The industrial revolution which became general in the United Kingdom during the eighteenth century, and is now rapidly becoming universal, has swept away this individual liberty in all the main occupations of industrial life. The worker, in most of the great manufacturing industries of advanced communities, must now begin and leave off work at the sound of the factory bell or steam "hooter," over the times of which he feels that he has as little individual control as over the sunrise. To fix by law the working hours of a journalist or a doctor would diminish his personal liberty of action; to hasten by Act of Parliament the welcome signal for the close of the factory day would increase the personal liberty of the operative. At present the latter has practically no control over his working hours. What he wants is a share in settling how long those hours shall be.

### HOW ABOUT PERSONAL INDEPENDENCE?

Some people are afraid that an Eight Hours Bill would destroy the personal independence of the English working man. Yet they know that the Factory Acts, which nominally apply only to women and children, really limit the hours of every man who works in a cotton-mill. Have the Lancashire operatives less personal independence than they had when their masters fixed the hours of labor at fifteen per day? Are the East-end tailors really freer than the men who work under the Factory Acts in the Yorkshire cloth mills? Mr. Mundella is no bad witness on such a point, and his testimony is emphatic. Writing in 1873, he says:—

An argument which is freely advanced against the interference of the State with the relations of capital and labor, is that it tends to undermine the independence and self-reliance of the class which it seeks to protect, and teaches them to look to the State rather than to their own exertions to remedy evils requiring redress. My answer to this is, that the factory operatives of Lancashire and Yorkshire have made greater advances in self-reliance and independence during the past fifty years than any other class of English operatives. Building and benefit societies, co-operative associations, both for distribution and production, have taken their rise and flourish amongst them on a scale of magnitude unknown in any other part of the United Kingdom.



Why, indeed, should it injure the personal independence or the valiant self-reliance of working-men voters for them to fix by law their own hours of labor? Why should all the moral qualities of manliness be supposed to depend, in some mysterious way, upon the worker being exposed to long hours or any other form of industrial tyranny? No! Personal independence is produced, not by over-work and fear and suspicion, but by bodily and mental health, by regularity of life, and by that feeling of security which comes when humane conditions of employment are guaranteed to the workers by the only power which they know to be stronger than their masters: and that is the Power of the Law.

#### THE NEED FOR GOVERNMENT INTERFERENCE.

It may, indeed, be contended that the prevention of excessive hours of labor is one of the essential duties of Government in an advanced industrial community. It is universally admitted to be the primary duty of Government to prescribe the plane on which it will allow the struggle for existence to be fought out. Of course, the fittest to survive under the given conditions will inevitably survive, but the Government does much to determine the conditions, and therefore to decide whether the fittest, by the test of conflict, shall be also the best then and there possible. We have long ruled out of the conflict the appeal to brute force, thereby depriving the strong man of his natural advantage over his weaker brother. We stop, as fast as we can, every development of fraud and chicanery, and so limit the natural right of the cunning to overreach their neighbors. We prohibit the weapon of deceptive labels and trade-marks. In spite of John Bright's protest, we rule that adulteration is not a legally permissible form of competition. We forbid slavery: with Mill's consent, we even refuse to uphold a life-long contract of service. The whole history of Government is, indeed, one long series of definitions and limitations of the conditions of the struggle, in order to raise the quality of the fittest who survive. This service can be performed only by Government. No individual competitor can lay down the rules for the combat. No individual can safely choose the higher plane, so long as his opponent is at liberty to fight on the lower. The honesty which is the best policy is merely just so much honesty as will not let you fall flagrantly out at elbows with your neighbors. It is for the citizens collectively, through their representatives in Parliament, to do what neither the employers nor the employed can do individually. Law is but the expression of the common will, and there is no reason why it should not express our common will as to the hours of our labor, just as it does our common will on other points.

It may, however, be admitted that the demand, which has marked the present century, for a more general regulation of the hours and conditions of labor, does represent a marked advance upon previous conceptions of the sphere of legislation. Such an extension of collective activity is, it may safely be asserted, an inevitable result of political Democracy. When the Commons of England had been granted the right to vote supplies, it must have seemed an unwarrantable extension that they should claim also to redress grievances. When they passed from legislation to the

exercise of control over the Executive, the constitutional jurists were aghast at their presumption. The attempt of Parliament to seize the command of the military forces led to a civil war. Its authority over foreign policy is scarcely two hundred years old. Every one of these developments of the collective authority of the nation over the conditions of its own life was denounced by great authorities as an illegitimate usurpation. Every one of them is still being resisted in countries less advanced in political development. In Russia, it is the right to vote supplies that is denied: in Mecklenburg, it is the right freely to legislate; in Denmark, it is the control over the Executive; in Germany, it is the command of the army; in Austria, it is the foreign policy of that composite Empire. In the United Kingdom and the United States, where all these rights are admitted, the constitutional purists object to the moral competence of the people to regulate, through their representatives in Parliament, the conditions under which they work and live. Although the tyranny which keeps the tram-car conductor away from his home for 17 hours a day is not the tyranny of king, or priest, or noble, he feels that it is tyranny all the same, and seeks to curb it as best he can. The step which these Anglo-Saxon communities are taking unavowedly, and often unconsciously, a smaller Republic expressly enshrines in its constitution. The Swiss Federal Constitution explicitly declares the competence of the legislature to enact statutes "relating to the duration of the work which may be imposed upon adults." The English workman now demands a similar advance.

#### PRACTICAL PROPOSALS.

The leaders of both political parties are continually proclaiming: "Only let the working classes declare what they want, and we will carry it out at once." The working classes are beginning to declare pretty clearly a want for legislation to shorten the working day. If the party leaders are fit for anything, they ought to be fit to put such a demand into practical shape. If not, the thing has been done for them often enough already. For instance, if it is desired to limit the hours worked by state and municipal employes, they will find that the State of California has enacted that:—

Eight hours labor constitute a legal day's work in all cases where the same is performed under the authority of any law of this State, or under the direction, control, or by the authority of any officer of this State acting in his official capacity, or under the direction, control, or by the authority of any municipal corporation within this State, or of any officer thereof acting as such; and a stipulation to that effect must be made a part of all contracts to which the State or any municipal corporation therein is a party.

If the almost unanimous demand of the miners for an Eight Hours Bill is to be carried into effect, Mr. W. Abraham, M.P. for Glamorganshire, has introduced a Bill which runs:—

A person is not, in any one day of twenty-four hours, to be employed underground in any mine for a period exceeding eight hours from the time of his leaving the surface of the ground to the time of his ascent thereto, except in case of accident. Whenever any employer or his agent employs, or permits to be employed, any person in contravention of this enactment, he is to be liable to a penalty not exceeding 40s. for each offence. This penalty is to be recovered in the same manner in which any penalty under the Acts relating to factories and workshops is recoverable.

After the significant debate in the House of Commons (23rd January, 1891) on the hours of railway servants, it is now quite certain that some legislation on the subject will take place. The Fabian Society's Bill contains clauses in the following form :—

No person employed wholly or mainly to work railway signals or points shall be employed continuously for more than *eight* hours, nor for more than *forty-eight* hours in any one week.

No person employed as engine-driver, fireman, guard, or wholly or mainly in shunting, on any railway, shall be employed continuously for more than *twelve* hours, nor for more than *forty-eight* hours in any one week.

If a more extensive Bill is wanted, so that legislation shall automatically follow on the expressed wish of the majority of any trade, the "Trade Option" clauses of the Fabian Society's Bill are ready for use.

But the exact form of the Act of Parliament is of no great importance at the present moment. What is now wanted is not only that every workman should insist on a promise from his Parliamentary candidate that he will support an Eight Hours Bill, but that even when such a pledge is given by a party candidate, the worker should still threaten to withhold his confidence until the pledge is confirmed by some public utterance on the part of the official leaders of the candidate's party.

Members of Parliament and candidates are coming reluctantly to recognise the need for conforming to the popular will. An Eight Hours Bill has now become a political necessity. But let no one imagine that its enactment will accomplish all that is needed. It will not make the three-hooped pots to have ten hoops, nor endow us with a new heaven and a new earth. It will do little to remedy the evils caused by the great disparity of incomes, or by the individual ownership of the means by which the worker lives. It will not restore to social health a "submerged tenth" wasted by the demoralisation of extreme poverty, or the results of drink and disease. But if it secures for millions of tired workers an hour or two of leisure which would otherwise have been spent in toil; if it enables many who would otherwise have plodded the daily round of monotonous labor to obtain access to some share in that larger life from which they are now relentlessly excluded; if it protects the future generations of the race from physical degradation or mental decay; if it makes brighter the lives of those who have toiled that a small class among us might have education, and holidays, and culture; if it accomplishes only partially some of these great ends, an Eight Hours Bill will be no mean achievement even for the greatest statesman, and no unfitting close to the century of the Factory Acts.



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

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